

20591. Misbranding of Dr. Pirtle's Germ-Oil. U.S. v. 154 Bottles of Dr. Pirtle's Germ-Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29892. Sample no. 34058-A.)

Examination of the drug product involved in this case disclosed that the article contained no ingredient or combination of ingredients, capable of producing certain curative and therapeutic effects claimed on the bottle and carton labels and in a circular shipped with the article.

On February 27, 1933, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 154 bottles of Dr. Pirtle's Germ-Oil at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about January 23, 1933, by the Germ-Oil Co., from Jonestown, Miss., to Memphis, Tenn., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted of cottonseed oil, turpentine oil, and sulphur.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing in the labeling, were false and fraudulent: (Bottle) "Germ-Oil For Kidneys, Bladder And Stomach Troubles Old Sores, * * * for pains about the body, Backache, Sidepleurisy, Cramps, Colic, Toothache, * * * or any Neuralgia or Rheumatic Pains. * * * For worms, * * * For Coughs * * * Germ-Oil"; (carton) "Germ-Oil For * * * Sores on Man or Beast. * * * Piles, Worms in Children, Etc. * * * For Backache, Kidneys, Bladder, Cramps, Colic, Blood Purifier, Stomache Troubles, etc."; (small circular) "For Any Pain About The Head Or Neck * * * Please Do Not Use For Rheumatism Unless You Use Germ Oil and Bathe in Strong Hot Salt Water 11 Times—Once a Day Germ Oil"; (large circular) "We do not claim that Germ-Oil will cure Rheumatism without the help of hot salt water * * * Backache * * * Germ-Oil Directions For Rheumatism * * * Take 12 or 15 Drops on Salt 7 Nights. Apply freely to parts affected. Also take Glass Hot Salt Water every Morning and Bathe in Hot Salt Water daily until relieved. For Backache, Kidneys, Bladder, Cramps, Colic and Blood Purifier.—15 Drops on Sugar at Bedtime for 7 nights, then take as feel the need of it. For * * * Sores on Man or Beast. * * * For Worms in Children. * * * For Coughs * * * For Stomach Troubles.—Take 15 Drops on Sugar at Bedtime for 7 nights, and take after each dose 1 or 2 glasses of Hot Water. For Toothache, * * * Earache, or any Pain about the Head or Neck.—Stop one Nostril with Finger, and Snuff Strong Smell up Each Nostril, and Rub on Place Affected until relieved. * * * Germ-Oil * * * you will find the Germ-Oil has gone through your Entire System, * * * If Germ-Oil does not cure you * * * For Private Disease or Lost Manhood 15 Drops at Bedtime on Sugar, until relieved."

On April 15, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20592. Misbranding of Ka-Di-Ok compound. U.S. v. 22 Bottles of Ka-Di-Ok Compound. Default decree of condemnation and destruction. (F. & D. no. 29874. Sample no. 32787-A.)

Examination of the drug preparation involved in this case disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the bottle label.

On February 24, 1933, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 22 bottles of Ka-Di-Ok compound, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about January 20, 1933, by LeDure Medicine Co., from Columbus, Ohio, to Pittsburgh, Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of extracts of plant drugs including a laxative drug, glycerin, alcohol, and water.